

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP #2017-0003
Approved by Planning and Zoning:	March 31, 2017
Permission is hereby granted to:	USF S&H Virginia, LLC
to use the premises located at:	209 Madison Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

March 31, 2017

Date

KARL MORITZ/AD
Karl Moritz, Director
Department of Planning and Zoning

DATE: April 25, 2017

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0003
Administrative Review for Change of Ownership and Minor Amendment
Site Use: Health and Athletic Facility
Applicant: USF S&H Virginia, LLC
Location: 209 Madison Street
Zone: OCM(50)/Office Commercial Medium

Request

Special Use Permit #2017-0003 is an administrative change of ownership SUP request and a minor amendment request for a health and athletic facility, operating as Old Town Sport and Health, located at 209 Madison Street. The change of ownership request would transfer the SUP from Old Town Athletic Club, Inc. to USF S&H Virginia, LLC. In addition, the applicant requests a minor amendment to add one and one-half hours of operation, Monday - Friday, and two hours of operation, Saturday and Sunday. The proposed hours are 5 a.m. to 12 a.m., Monday – Friday, and 5:30 a.m. to 11 p.m., Saturday and Sunday. No additional changes to the business are proposed.

Background

City Council approved Special Use Permit #2056 for The Old Town Athletic Club in November 1987. On May 18, 1996, City Council approved Special Use Permit #96-0031 to increase the hours of operation. On June 14, 1997, City Council approved Special Use Permit #97-0062 for expansion of the facility. Staff administratively approved Special Use Permit #2000-0031 for a change of ownership. Most recently, City Council approved SUP 2006-0027 for Old Town Athletic Club, Inc. for an increase in the hours of operation and an expansion of the existing health and athletic facility.

An October 2013 inspection revealed violations of conditions #4, #6, and #7 of SUP #2006-0027 for not posting Dash and Metro schedules as well as patron and employee parking locations. Signs were also displayed in violation of the ordinance as they were located in the public right-of-way. The applicant was in compliance with all zoning matters as of the December 2013 re-inspection. In August 2016 an inspection revealed windblown signs and signs in the ground in the public right-of-way outside of the business. The applicant removed these signs immediately. An SUP inspection in January 2017 discovered non-compliance with Conditions #2 for hours of operation and #6 for posting of parking information and with the zoning ordinance for portable signs in the public right-of-way. The applicant addressed Condition #2 by applying for this minor amendment SUP. A placard with parking information was posted at the front desk,

complying with Condition #6. Subsequent visits to the site indicated that the applicant has consistently refrained from placing signs in the public right-of-way.

Parking

According to Section 8-200(A)(17) of the Zoning Ordinance, a health and athletic facility of 41,426 square feet is required to provide 104 spaces. According to Site Plan #85-016, the subject office building was built with 298 parking spaces, totaling one parking space for every 400 feet, which is the same requirement as the health club facility. The applicant, therefore, complies with the parking requirement. The parking garage provides parking for all building tenants on a shared basis.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the North Old Town Independent Citizens Association, the Old Town North Community Association, and the Rivergate Owners were sent notification of the application. A resident and member of the health club contacted staff to request accessible parking on a nearby City street or free parking in the applicant's garage. Staff informed the resident that they could petition the Traffic and Parking Board for the addition of accessible parking spaces on a nearby City street and provided the applicant with the feedback about free garage parking.

Staff Action

Staff supports the change of ownership request and the minor amendment request for additional hours of operation. Longer hours will enhance opportunities for the applicant to accommodate a broader segment of its members. Staff does not anticipate noise impacts with early morning or late night hours as the health and athletic facility operates on the first and lower levels of an office building that is vacant at those times. Although the applicant has been cited for displaying signs in the public right-of-way, Staff recognizes that this practice has ceased and, therefore, is comfortable supporting the SUP requests administratively. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 4/25/17
Action: Approved



Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent
3) City Department Conditions

CONDITIONS OF SPECIAL USE PERMIT #2017-0003

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP 2056)
2. **CONDITION AMENDED BY STAFF:** The hours of operation of the public health club shall be from ~~5:30~~ 5 A.M. ~~a.m.~~ to ~~11:00~~ 12 P.M. ~~a.m.~~ Monday through Friday, ~~5:30 A.M. a.m.~~ to ~~9:00 P.M.~~ 11 p.m. on Saturday and Sunday (P&Z) (SUP #2006-0027)
3. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police) (SUP#2000-0031)~~
4. **CONDITION DELETED BY STAFF:** ~~The applicant shall encourage its employees and patrons to use mass transit or to carpool when traveling to and from the facility, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP #2006-0027)~~
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP #2006-0027)
6. The applicant shall post information regarding the location, cost, and hours of the parking structure, and post when parking is free at the structure. If a parking validation program is implemented, the applicant shall post information regarding the program. (P&Z) (SUP #2006-0027)
7. The applicant shall require all of its employees who drive to work to park in the on-site parking structure. (P&Z) (T&ES) (SUP #2006-0027)
8. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The facade improvements for the proposed new doorway and sign on the south side of the building shall be consistent with the attached plans. (P&Z) (SUP #2006-0027)~~

9. The applicant shall submit a minor plan amendment to current approved site plan (to be submitted to T&ES) to implement the proposed new building entrance. (T&ES) (SUP #2006-0027)
10. **CONDITION AMENDED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2006-0027)
11. **CONDITION SATISFIED AND DELETED BY STAFF:** The applicant shall remove the existing box sign on Madison Street. (P&Z) (SUP #2006-0027)
12. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP #2006-0027)
13. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
14. **CONDITION ADDED BY STAFF:** The applicant shall encourage patrons to park off-street through the provision of information about its own garage and nearby garages on the gym's website. (T&ES)
15. **CONDITION ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up once a day, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 OEQ does not have any concerns with the proposed operating hours requested in this SUP. (T&ES)
- F-2 Per further coordination with the applicant, Sport and Health currently provides 104 spaces in the 298 parking space parking lot (one parking space for every 400 feet) rather than 71 as noted on the application. The parking garage operates on a shared basis with no reserved spaces for a particular use in the building. No changes have been made since the last SUP. (T&ES)
- R-1 ~~4. **CONDITION DELETED BY STAFF:** The applicant shall encourage its employees and patrons to use mass transit or to carpool when traveling to and from the facility, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)~~
- R-2 7. The applicant shall require all of its employees who drive to work to park in the on-site parking structure. (P&Z) (T&ES)
- R-3 9. The applicant shall submit a minor plan amendment to current approved site plan (to be submitted to T&ES) to implement the proposed new building entrance. (T&ES) (SUP2006-00027)
- R-4 10. **CONDITION AMENDED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-5 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-6 The applicant shall encourage patrons to park off-street through the provision of information about its own garage and nearby garages on the gym's website. (T&ES)

- R-7 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked once a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Fire Department:

- C-1 A new fire prevention permit shall be applied for by new owner.

Code Enforcement:

No comment received

Health Department:

No comment received

Recreation, Parks and Cultural Activities:

No comment received

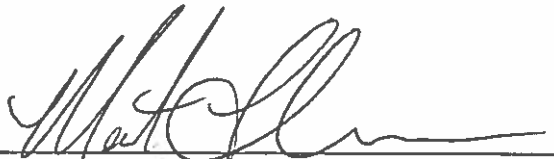
Police Department:

No comment received

SUP2017 - 0003
209 Madison Street

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0003. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 209 Madison Street.



Applicant - Signature

7-26-17

Date

MARTIN THOMAS

Applicant - Printed

7-26-17

Date